

BOARD OF DIRECTORS – ACTION SUMMARY
Thursday, March 8, 2007 – 6:00 p.m.

Administration Building – Board Chambers
2101 Hurley Way, Sacramento, CA 95825

CALL TO ORDER

The meeting was called to order by President Kelly. Board Members present: Clark, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley. Staff: Fire Chief Mette, Associate General Counsel Chavez, Board Clerk Tilson.

PLEDGE TO FLAG led by the Girl Scouts of Tierra Del Oro.

METRO CABLE 14 ANNOUNCEMENT

The open session Meeting is videotaped for cablecast on Metro Cable 14. Replay on Friday, March 9 at 3:00 p.m. and Monday, March 12 at 6:00 p.m. on Channel 14; Webcast at www.sacmetro cable.tv. A VHS copy is also available for checkout from any library branch.

**PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN
DISTRICT JURISDICTION INCLUDING ITEMS ON OR NOT ON THE AGENDA**

CONSENT AGENDA:

1. Special Board Meeting Action Summary—February 21, 2007
2. Board Meeting Action Summary—February 22, 2007

- **Board Action:**
Lawson/Clark—approve the consent Agenda. Directors Clark, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Engellenner, abstaining. Motion carried.

ACTION ITEM(S):**1. Board Meeting Schedule—(Kelly)**

- A Monthly Matrix was distributed to the Board tallying the results of a poll of all Board members regarding days available to attend Board meetings.
- **Board Action:**
President Kelly stated the meetings would remain on the second and fourth Thursday of the month in accordance with the majority of the Board members polled.

2. Sacramento Area Flood Control Agency's (SAFCA) Proposed Consolidated Capital Assessment District on County-Owned Property—(Kelly)

- At the last meeting this item was discussed and the Board requested it be placed on this agenda for official recommendation.
- Staff recommended the Board support the Sacramento Area Flood Control Agency's Consolidated Capital Assessment District and authorize the Fire Chief to act on behalf of the District.
- **Board Action:**
Granados/Engellenner—approve the staff recommendation. Directors Clark, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Motion carried.

PRESENTATION ITEM(S)**1. Firefighters Burn Institute—(Patty Neifer)**

- Patty Neifer of the Firefighters Burn Institute distributed two reports on the "Fill the Boot for Burns" Boot Drive. The first report itemized the contributions raised by each participating organization in the 2007 Boot Drive. The Sunrise location raised \$128,878.56. The grand total was \$487,680.23 with 57 fire agencies helping. The second report acknowledged over 70 Sacramento Metro Fire volunteers who participated in the fundraiser. She thanked Fire Chief Mette for his support of the event and Director Tom Lawson for "shaking the boot" at Sunrise.

- A Channel 10 news clip was shown of the Fill the Boot event at Sunrise Boulevard and Greenback Lane in Citrus Heights. Captain Forrest Rowell was the original firefighter in the basket for the last 13 years, joined by Captain Michael Daw 11 years ago.
- Director Trujillo stated this event has been done very professionally for a number of years with no accidents on an extremely busy street.
- Director Jones acknowledged Patty Neifer for her dedication and work for the Burn Institute. As a committee member for the Pre-School Burn Camp, she applauded Ms. Neifer for spearheading this unique program and hopefully it can be a start nationwide.
- Director Goold stated it is wonderful to see how this fundraiser has expanded and commended Ms. Neifer and her staff.

2. Deferred Compensation Plan—(Matthew Reyman)

- A report was distributed containing current statistics. The District has 753 eligible employees – 536 are in the plan for a 71.18% participation rate. During calendar year 2006, Total Assets grew from \$54.8 million to \$64.3 million for a 17.3% increase in growth including ongoing contributions. Assets to date are \$65.1 million.
- A two-page annual report updated the Board on the activities and progress of the Deferred Compensation Program during calendar year 2006.
- In addition, a two-page staff report was submitted containing background information. The Committee conducts a competitive Request For Proposal (RFP) process every five years to obtain the best benefits available. At a previous meeting, the Board authorized the committee to hire SST Benefits Consulting Services to assist with the RFP process.
- Bill Tugaw, President of SST Benefits Consulting & Insurance Services, Inc., explained the process from its inception for soliciting new providers. An RFP was sent out to 33 providers and narrowed down to 3. AIG Valic did not come up with a competitive bid. Nationwide Retirement Solutions was unanimously recommended as the new third party administrator based on its quality of service and superior fund performance investments.

This recommendation will be brought back to the Board at its March 22 meeting for approval.

- In response to Director Goold, information on the growth rate percentage minus contributions will be brought back at the next meeting.

- Director Lawson stated as a plan participant he would like to see the new fund family with their performance rating for the next meeting.
- **Board Action:**
Informational item placed on file.

PRESIDENT'S REPORT—(Kelly)

- Relative to the Monthly Matrix, he had hoped for an opportunity to accommodate Director Jones with her other commitment but it did not occur.
- Commended Patty Neifer of the Firefighters Burn Institute for her work and thanked her for coming tonight.
- In response to dates for a Board Workshop to discuss the helicopter program, Board Clerk Tilson stated Art Negrette would be submitting some dates and a draft agenda for coordination of a meeting.

FIRE CHIEF'S REPORT—(Mette)

- He and Assistant Chief Johnson are working with Art Negrette and will move ahead with a suggested job description for the helicopter pilot prior to the workshop.
- Fire incident report – seven significant structure fires.
- June 9 and 10, 2007 – second annual participation of the District in the City of Citrus Heights Relay for Life and currently building our team. If anyone is interested, contact Public Information Officer Christian Pebbles.
- Channel 40 is currently running two Smoke detector public service announcements.
- March 6, 2007 – Participated in the second Blight Buster in the City of Rancho Cordova. Discovered 60 residences out of 110 contacts in need of attention with their smoke detectors – installed 32 smoke detector alarms and replaced 28 batteries.
- March 24, 2007 – Grand opening for Station 68 from 10:00 a.m. – 2:00 p.m. at the Anatolia site.
- March 29, 2007 – Awards luncheon at the Rancho Cordova City Hall in the American River Room from 11:30 a.m. – 1:30 p.m.

GENERAL COUNSEL'S REPORT—(Chavez)

- At the last meeting he was asked to research the issue of potential legal conflicts when serving on two governmental bodies simultaneously.

Distributed a six-page opinion letter to the Board relative to Board Member Conflict of Interest Under the Doctrine of Incompatibility of Offices and Government Code Section 1099.

The County of Sacramento is clear that the Community Planning Advisory Council (CPAC) serves only in an advisory capacity. If a Board member serves on another Board that is only vested with the ability to advise another governmental body, there is no conflict.

- In response to Director Lawson, Counsel Chavez agreed that serving on a workforce investment board is not a conflict unless an individual stood to gain more financially than the general public.

COMMITTEE AND DELEGATE REPORTS:**Executive Committee—(Kelly)**

- TBD

Communications Center Delegate—(Valley)

- Reported on the February 27 meeting. No movement on the radio issue. Problem with frequencies.

Fire Chief Mette stated basically there are no more frequencies available. The County is still trying to work the problems out. The Rancho Murieta Board is in favor of the County putting a site out there.

- Next Meeting: March 27, 2007 – 10:30 AM

California Fire & Rescue Training Authority—(Goold)

- Next meeting: TBD

Finance Committee—(Jones)

- Mid-year budget reviewed and referred to the full Board for March 22.
- Next meeting: April 12, 2007 – 5:00 p.m.

Policy Committee—(Lawson)

- Two policies from Counsel Michael Dean for presentation at the next meeting:
 - 1) Appeal Procedure for At-Will Employees
 - 2) Outside legal counsel for lawsuits involving Board members and administrative staff
- In response to the status of the cost-recovery policy, Counsel Chavez stated it will be presented at the next meeting.
- Next meeting: March 22, 2007 – 5:00 p.m.

BOARD MEMBER QUESTIONS AND COMMENTS:

[Taken Out of Order after Closed Session]

Goold:

- Urged the Board to consider a future Metro Fire summit to look at the District Goals and a Strategic Plan. Encouraged the summit be opened up to include department heads and line staff for input on their insight and vision for the future of this agency.

Trujillo:

- Thanked the Girl Scouts for the presentation of the Colors.
- Thanked the staff for their reports.
- Thanked Ms. Neifer for her report on the Burn Center and Fill the Boot. Commended her for doing an outstanding job with the Burn Center

Valley:

- The East Bay Sacramento Municipal Utility District and the Regional Water Authority are putting in an 84-inch pipeline down Gerber Road for the aqueduct system. The Vineyard Community Planning Advisory Council (CPAC) reported on it. It starts in May and a few individuals expressed concern about fire departments getting in and out if a part of Gerber Road is closed. Suggestions were made to use a flag system to allow equipment to respond rather than closing the street.

Granados:

- Thanked Finance Director Sponable for a good report.
- Thanked the crew from Station 108 that took his father to the hospital and did a very good job, which he appreciated.
- Thanked Shifts A, B, and C of Station 63 for their medical aid responses to Aerojet and an outstanding job each and every time.

Lawson:

- Thanked Fire Chief Mette, Assistant Chief Jim Eastman, and Assistant Chief Greg Mugartegui for attending the meeting today with the American Red Cross to have a better line of communication in assisting individuals who have a fire in their facilities.
- As a representative of a community service organization, it is important to stress that the Burn Institute is not just a one-weekend project and individuals can contribute during the course of the year.
- Director Engellenner is not here but just wanted to welcome him back this evening for his first meeting since he has been ill. Wanted him to know that we appreciate his input.

Kelly:

- Echoed the same sentiment that it was nice to see Director Engellenner here this evening.
- Thanked all of the men and women of Sacramento Metropolitan Fire and Fire Chief Mette for doing an excellent job. Mr. Chavez, welcome to the fire.

ADD ITEM TO THE AGENDA:

[Taken Out of Order before Board Member Questions and Comments]

Associate General Counsel stated if the Board chooses to go into Closed Session with an addition to the Agenda, he recommended it be placed under Potential Litigation pursuant to California Government Code Section 54956.9(b)(1). Under this section, the law is clear that an attorney must be present.

- **Board Action:**
Granados/Lawson – Add the item to the Closed Session pursuant to legal counsel's recommendation that it be added as potential litigation. Directors Clark, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Motion carried.

[Director Engellenner departed]

RECESS TO CLOSED SESSION 7:00 PM

RECONVENE TO OPEN SESSION 7:15 PM

CLOSED SESSION GOVERNMENT CODES:

Report by Associate General Counsel Chavez:

1. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION

Significant Exposure to Litigation Pursuant to California Government Code Section 54956.9(b): Two (2) Cases

- a. Claim Against Public Entity Pursuant to Government Code Section 910
Teresa Means-Ferguson vs Sacramento Metropolitan Fire District

The Board members present voted unanimously to deny the claim and referred the matter to the District's insurance carrier.

- b. Claim Against Public Entity Pursuant to Government Code Section 910
Irene Yslas vs Sacramento Metropolitan Fire District

The Board members present voted unanimously to deny the claim and referred the matter to the District's insurance carrier.

2. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION

Pursuant to California Government Code Section 54956.9(b)(1)

No action was taken and it was postponed so independent outside counsel can brief the Board fully on this matter.

ADJOURNMENT – Meeting adjourned at 7:25 p.m.

Matt Kelly, President

Thomas J. Lawson, Secretary

Charlotte Tilson, Clerk of the Board